

**RECEIVED  
CENTRAL FAX CENTER**

AUG 09 2007

PATENT

Attorney's Docket No. P03137

U.S. Serial No.: 10/807,420  
Filed: March 23, 2004**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

- provisional
- X** original
- design
- divisional
- continuation
- continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

***BAR-LINK DRIVE SYSTEM FOR A MICROKERATOME***

which was filed on March 23, 2004, as United States Patent Application No. 10/807,420.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

- In compliance with this duty, there is attached an information disclosure statement 37 CFR 1.97.

**PRIORITY CLAIM (35 U.S.C. §119)**

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the same application(s) of which priority is claimed.

- x no such applications have been filed.  
such applications have been filed as follows:

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS  
FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY  
CLAIMS UNDER 35 U.S.C. §119**

Country	Application Number	Date of Filing (day, month, year)

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)  
UNDER 35 U.S.C. 120**

I hereby claim the benefit under Title 35, United States Code, §119 and/or §120 of any United States application(s) that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national filing date of this application.

		Status (check one)	
U.S. Applications	U.S. Filing Date	Patented	Pending
1. 0/			
2. 0/			

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

U.S. Applications	U.S. Filing Date
1. 60/461,086	April 7, 2003
2.	

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Michael L. Smith, Reg. No. 35,685  
CUSTOMER NUMBER 23702

Send correspondence to:

Direct telephone calls to:

Bausch & Lomb Incorporated  
One Bausch & Lomb Place  
Rochester, NY 14604

Michael L. Smith  
(314) 446-7646

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

**SIGNATURE(S)**

Full name of first inventor: Craig A. Barrile-Josephson

Inventor's signature



Date

7/13/07

Country of Citizenship: US

Residence: 16 Musket Lane  
Rochester, New York 14624

Post Office Address: Same as above.

Full name of second inventor: Michael H. Dobner

Inventor's signature Michael H. DobnerDate July 10, 2007

Country of Citizenship: US

Residence: 18 Bridlewood Trail  
Honeoye Falls, New York 14472

Post Office Address: Same as above.

Full name of third inventor: James Kirch

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Country of Citizenship: US

Residence: 897 Quaker Road  
Scottsville, New York 14546

Post Office Address: Same as above.

Full name of fourth inventor: Peter J. Halecki

Inventor's signature Peter J. HaleckiDate 7/15/07

Country of Citizenship: US

Residence: 275 Pemberton Road  
Rochester, New York 14622

Post Office Address: Same as above.

Full name of fifth inventor: Christopher Wagner

Inventor's signature Chris WagnerDate 7/10/07

Country of Citizenship: US

Residence: 602 Salt Road  
Rochester, New York 14580

Post Office Address: Same as above.

Attorney Docket No.: P03137  
Serial Number: 10/807,420  
Filing Date: March 23, 2004

**ASSIGNMENT**

WHEREAS,

Christopher Wagner

(hereinafter referred to as ASSIGNOR), has made an invention and has executed on even date herein an application for Letters Patent of the United States therefor entitled:

***BAR-LINK DRIVE SYSTEM FOR A MICROKERATOME***

WHEREAS,

Bausch & Lomb Incorporated, a corporation of the State of New York, having offices at One Bausch & Lomb Place, Rochester, New York 14604, United States of America (hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in and to said invention and under said Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00) and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the full and exclusive right, title and interest to said invention and in and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted, including all convention rights.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, ASSIGNOR has hereunto set hand and seal.

7/10/07  
Date

Christopher Wagner  
Christopher Wagner

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

I, ~~Deborah I. Spencer~~ a Notary Public in and for the State and County aforesaid, do hereby certify that Christopher Wagner personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

In Witness Whereof, I have hereunto set my hand and Notarial Seal this 10<sup>th</sup> day of July, 2007.

Deborah I. Spencer  
Notary Public

DEBORAH I. SPENCER  
NOTARY PUBLIC, State of New York  
No. 01SP6020030  
Qualified in Monroe County  
Commission Expires June 21, 2011